G. R. S. 59] GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

1898.
~~191~~.
(Courts.)

File No. 92-98

Serial Nos. 1—7

Papers Filed.

Month ~~of~~ March 1901

SUBJECT.

Result of the trial of persons surrendered to the Durbar.

PREVIOUS REFERENCES.	LATER REFERENCES.
	Indexed N. B. Thanmayya Comptroller

(21)

SECTION Cancelled
FILE NO. 92 - 98
SER'AL N —

The 1st Asstt to the Resident in Mysore.

No. 2180 / 2230 Rec'd.
Date. 15th August 1898

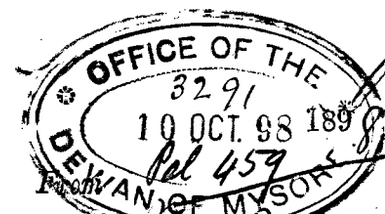
Sir

I am directed to forward herewith a statement shewing the result of the trial of persons surrendered to the Bombay under the Foreign jurisdiction and Extradition Act XXI of 1879, for the half year ending 30th June 1898.

I have &c.

13/8/98

11/8/98
Cadell Secy.
Secret & Political Dept
13/8/98



L 474

Correspd re T. A. Rules in Mysore

92 To (4)

The Secretary to the Govt. of Mysore,
Rev. and Gen. Depts.

Dated 7.10.98.

Despatched

Received

General No. 5360.

No.

Enclosure No.

Requesting to be furnished with information re the large no of escapes in the statement of persons surrendered at the Durbar

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References to be marked.

Submitted reg^d and draft for appl^n

GVB

11-10-98.

No. 5360
3864-89.

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

(4)

To

The Dewan of Mysore.

Dated Bangalore, 7 October 1898

SIR,

With reference to your letter No.2180-J. 230 dated the 15th August 1898, with which was forwarded a statement showing the result of the trial of persons surrendered to the Durbar, I am directed to invite your attention to the large number of escapes therein mentioned, and to enquire what action has been taken in consequence.

I have the honor to be

Sir,

Your most obedient servant

K. S. Erskine

Captain,

First Assistant Resident.

To (5)

Covered The Dt Magte of Shimoga

No. 92-93

GENERAL No. 3 No. 5249/9541

Dy. 17th October 1898

His docket No. 75/4 dated 23rd July 1898 forwarding the return of persons surrendered under the Extradition Act, during the half year ending 30th June 1898

~~With refee to the~~ above, Has the honor to draw the attention of the Dt Magte to the large No of escapes noted in the Statement Subt with the above and to request that ~~he the Dt~~ Magte will be good enough to report to this office, at a very early date, the action taken by him in the matter of the arrest &c of the accused who so escaped.

The circumstances under which the escapes took place

as the
information in the
point has been
called for, by the
Residency.

The result of the action taken should also be reported Q.

B C.

12/10/28

P.R.
11/10/28

mac
11/10

Correspondence. As regards the action taken in consequence nothing further is said than that endeavours are still being made to recapture the escaped prisoners. May a reply be drafted to the Residency stating these facts. BR. 3/11/98

or may the papers recd: from the Dt Court be forwarded.

We may send a copy of this & of the enclosure to the Resident.

Initialed 4-11-98

It is unnecessary to send the whole correspondence ... [illegible] ... a brief report of the circumstances under which the 18 men escaped is submitted to the Resident ... that endeavours are being made to trace out the escaped men and that the jail guards (Duffadar & constables) ... [illegible]

Call for a further report from Dm as to whether any recapture ...

From [illegible] District Magistrate

To The Secretary to the Government of Mysore General & Rev: Depts

Dated 22d October 1898

Despatched

Received

General No. 361 / No. 24 } 1898-99

Enclosure No. 1

With ref: to his docket No 5249 dated 17th Inst, forwards copies of correspondence regarding 18 men escaped from Sagar Lock-up —

Recd 27.10.98

Recd 1-11 Papers put up

2-11-98

Subd to Secretary.

The circumstances under which the escapes took place are explained in the

No. A 8223 5-98 to Inspector General of Prisons
No. 8228 5-98 from — do — with enclosure.

No. 361 m/
24

Mangalore
Deputy Commrs Office
Mangalore 22nd October 1898

To

The Secretary to the
Government of Mysore
General & Rev. Departments

Sir,

With reference to your memo
No 5249 of the 17th October 1898
J 54 requesting me to report at a very
early date the circumstances
under which 18 men escaped
from Sagar Lock-up and the
action taken in the matter
& regret to write the result
thereof, I have the honour
to forward herewith copies of
& the marginally correspondence
that took place between this
office and that of the Inspector
General of Prisons in Mysore, and to state
that endeavours are still being made
to recapture them. I have the honour to be

Sir
Your most obedient servant
A. M. Lindsay
Colonel & Deputy Commissioner

MMC

No A.

District Magistrate's Court
Shimoga
Camp Kallurkatte 23d May 1896

To

The Inspector General of Prisons
in Mysore

Sir,

I regret very much to have to report that 18 prisoners out of the 20 who had been awaiting trial in the Court of the Sub-Division Magistrate of Sagar escaped from the Sagar Lockup on the midnight of the 21st instant. They are reported to have removed the wooden and iron bars of the windows of two lockup rooms and of another adjoining room used for cooking by the prisoners and to have escaped thereby. The alarm was given soon after by the daffedar and a constable of the guard on duty at the time: and the Amildar and other Police officers and the Lockup officer were all on the spot. Of the 18 men who had run away, one was caught near the river Varada on the road leading to Sorab. The report does not

give more details, and I am awaiting further and fuller information, on the receipt of which and after the necessary investigation, I shall submit a further report.

2. The Amildar and Inspector have taken all the requisite steps to trace out the escaped men. I have requested the Police Superintendent to go to the spot at once: and I shall also visit the place as early as possible.

3 I may here note that I inspected the Lockups on the 17th morning, and saw all the men confined there. The number was unusually large and the rooms were overcrowded. But as they were awaiting trial before the Sub Division Magistrate and as the hearing was to take place shortly, I considered the matter could not be helped. I have directed a full investigation into all the circumstances connected with the unfortunate incident.

The Dm when he found the overcrowding of men both on committal & conv. ought to have ordered ... but as he did not the escapes would have been avoided.

No pains will be spared to trace out the men and if possible to recapture them.

I have &c.

Sd/ H. V. Nanjundayya
District Magistrate.
Shimoga

Proceedings of the Inspector General of Prisons in Mysore.

No 822/J. Bangalore 28th May 1898.

Read No. A. dated 23 May 1898 from the Deputy Commissioner Shimoga District reporting that 18 prisoners out of the 20 awaiting trial before the Sub Division Magistrate of Sagar, escaped from the Sagar Lockup on the 21st instant, and stating that a further report will be submitted after the necessary investigation.

The Inspector General of Prisons regrets that so many as 18 prisoners should have escaped at once without the knowledge of the Daffedar and the Constable who were on duty, at the time. The further

report promised by the District Magistrate is awaited.

Sd/ Percy H. Benson M.B.
Surgeon Lieut Col.
Inspector General of Prisons.

No 3225/653

District Magistrate's Court
Shimoga
Camp Anantapur 5th June/98.

To

The Inspector General of Prisons
in Mysore

Sir,

I beg to forward herewith a memo drawn up on the inspection of the Sagar lockup.

2. I cannot say that the Lockup officer (Mr Venkat Rao, Sub Assistant Surgeon) is altogether without blame in the matter. The room @ from which 6 men escaped was not intended to be used as a lockup. Mr Venkat Rao did not act discreetly in immuring 6 men therein. If want of room was the excuse, he might as well have kept the six men in the more secure

The Dist Mag was also blamed for remarks made on the inspection note & the matter was brought to the notice of Govt

room by the side, keeping the two (sick) men in this. He says that he had asked the Police Daffedar to have a watch always at the door of that room, but this is hardly a sufficient excuse to shift the responsibility altogether on a subordinate of the Police constable or daffedar's rank.

3. This is attributable only to Mr Venkat Rao being new to the work and lacking in sufficient experience in such matters. I do not know what special reasons induced the Government to place medical officers without Police or Magisterial status or experience in charge of these lockups: but it appears to me that both prisoners and Police guards are likely to be better kept under by Magisterial or Police officers. I would suggest therefore that this lockup may again be placed in the charge of the Moonsiff or be given over to that of the Amildar.

4 In order to prevent such escapes in future, it is necessary that

rules should be drawn up ensuring frequent patrols by the jail guards in a regular manner. Larger spy-holes should be provided in all the doors or what is perhaps better, the upper halves may be made up with iron bars in wooden frames. I shall feel obliged if you would take this early into consideration and lay down the proper rules or get Government to pass any orders that may be necessary.

I have &c.

sd/ H. V. Nanjundayya.
District Magistrate
Shimoga.

Memo

The Sagar Taluk lockup was inspected on the 4th, the Amildar and the lockup officer being present. It was inspected again this morning with the Sub-Division officer also present. Both the rooms from which the escapes were effected open into the open courtyard of the Taluk Kacheri which itself is a narrow

space. The room adjoining the larger lockup is occupied by Barr Sypoys. Immediately behind it is a room B opening into the street and outside the main entrance of the Kacheri building — which is being used for the prisoners to cook in. A is a regular lockup room with ceiling boards and high placed and barred windows. B has only the ordinary large sized window about 2½ feet above the floor. 12 men were kept in room A which was locked up as usual. In one of the high placed windows opening into room B, the wood of the frame work was burnt so as to allow the iron bar to be pulled out. The bars were securely imbedded in the wood and it must have taken some time for the fire to eat into the wood so as to allow the iron bar to be pulled out. The zinc sheet outside was forcibly lifted up and all the men got down into room B.

This latter had been locked outside and the prisoners cut the middle wooden post of the window by hacking it about the middle with a sickle (which they have carried away and which is said to have been

kept there for slicing vegetables with). After thus liberating themselves, they seem to have in turn made the Barr and Police men within the Taluk Kacheri prisoners by barring the door outside, using the window iron bar which they had removed by passing it through the two outside rings standing on the two doors of the outer gate. Either after this or before (it cannot be ascertained exactly) the middle wooden post of the window of Room C which apparently was decayed and comparatively weak, was removed and the six men inside were also liberated. This room was not meant to be a lock up apparently, as it has no planking below the Mangalore tiles and has a large window at 2½ feet from the floor.

All this must have taken some considerable time to accomplish. The whole space which includes these rooms and the courtyard is so small, that if the guards were at all awake or even half as vigilant as they ought to have been, it is almost impossible that they could not notice

what the prisoners were about. It is not possible to exonerate them of utter indifference and gross negligence.

How did the prisoners get the means of making a fire inside? It is said that they may have secreted a match which was given for their cooking. It may be so, but the opportunity should not have been given to do that.

It was known that these persons were brought up for dacoity. They were unusually desperate characters, and the number was very large for this Lockup. This, instead of suggesting as it should have done, extraordinary care and vigilance, does not seem to have been taken into account at all.

It is said that the night was rainy and that marriage and other processions created extraordinary noise. If the night was stormy, it is most unlikely that the noise created by fireworks or processions

in the street could reach the precincts of this building. But darkness and rain ought to have shewn the advisability of greater precaution.

All these jail guards (the daffedar and 8 Constables) are therefore placed under suspension from this date. If any of them succeeds in recapturing any of the absconding men, their cases will be taken into favourable consideration. If no recaptures are made by them within 3 months, they will be finally dismissed and if advisable, also prosecuted

Sd/ H. V. Nanjundayya
District Magistrate
Shimoga

4th June 1898.

No. 4234 Encl 2
654

District Magistrate's Court
Shirnagar
6th June 1898

To

The Inspector General
of Prisons in Burma

Sir,

With reference to your proceedings No. 4432 of the 24th Ultimo, I have the honour to forward herewith copy of letter No. 5 c dated the 24th Ultimo from the Officer in charge of the Lockup at Sagar (together with a sketch of the lockup buildings) explaining how the under-trial prisoners effected their escape.

2nd The Police of Sagar Taluk are still engaged in attempting to recapture these men.

I have &c

Sd/ H. V. Nanjundayya
District Magistrate

To
The District Magistrate
Shimoga

No. 5 & 14 Em:
24-5-98

Sir,

I. Concerning the escape of the 14 prisoners from Sagar lockup on the night of the 21st instant I have the honour to report that as soon

as I heard from Jaffedar Sinton that the prisoners escaped from the Lockup. I went at once i.e. at about 1 P.M. with the Police Inspector to the Lockup. The Sirdar also came there a little while after.

It was found then that out of the 20 prisoners only 2 were remaining and the other 18 had escaped. Just then the Police constables brought one of the escaped prisoners named Hussan who was caught on the Sagar-Sonab Road about half a mile from the town of Sagar. The 20 persons

were placed in the lockup rooms as described below.

12 in one room (vide sketch marked No 1) and double the size of the other rooms.

6 in another (vide sketch marked No 3)

2 in the 2nd (vide sketch, marked No 4)

The reason why only 2 were placed in one room, was that one of them named Venkata complained to me about 4 days back that he was suffering from occasional shooting pain in the left side of the chest and on examination I found that his heart's action

was weak, and thinking that confining him in a small room along with many persons, may tell seriously on him, I had told the Lockup Daffedar to place him and another only in one room.

I had inspected the lockup on the 21st Instant, the day of the occurrence, once in the morning and once in the evening, as usual, and found everything satisfactory.

II The Kitchen (marked No 2 vide sketch) which is on the outer verandah of the Taluk cutcherry, is adjoining the lockup room

marked No 1) in which the
12 persons were confined,
only a wall intervening
between them with 3 windows
in it of which 2 are connected
with the Kitchen. Each
window has 5 iron rods
stuck into it the frame
work being of wood, and
it is covered outside with
perforated zinc sheet which
is closely attached to the wooden
frame work of the window
by screws. One of the iron
rods of the last window
(marked E) is removed, and
a person may pass through
the space thus made. The
portion of the wooden
frame work exactly

beneath the rod removed, presents a charred hole near which a small lump of charcoal, 2 small bits of dung-cake, and 3 small rags are found. The perforated zinc sheet attached to this window is raised from below and a blanket is tied to one end of it by a piece of rag, and the zinc sheet is kept raised. The kitchen has 2 windows, of which one has 6 iron bars 4 on each side with a central wooden bar, and another window (unnumbered) has 4 iron bars 2 on each side with a central wooden

bar. The central wooden bar of the latter window (marked F) which is situated exactly opposite the lockup window (marked E) from which the iron bar is taken out, is removed and lying in 2 pieces in the kitchen just beneath the window. The pieces show a scraped appearance.

Again the room in which 6 persons were confined (marked No. 3) has one window with 4 iron bars 2 on each side with a central wooden bar. The wooden bar is removed entire. The lowest end presents

marks of indenture made by a sharp instrument and a little quantity of wooden dust is seen in the window.

III The enquiry of the captured prisoner, the Police Daffedar and constables, Havildar and Bari sepoy on duty, was held by me in presence of the Havildar.

The captured prisoner Hussen said that he was kept in the room along with 11 others after the evening meal at about 5 P.M. On that night, that one of the prisoners named Hamma had asked him on the previous day

whether he (Hussey) would
be willing to decamp
from the lockup if he
(Hamma) were to show
the way to which he assented,
that about 12 P.M. that night
Hamma removed the iron
bar from the window, descended
into the kitchen, and cut
the window, that after
hearing the sound of the
window being broken, the
prisoners including himself
descended to the kitchen
through the lockup window
and thence made their
exit through the kitchen
window, that Hamma
placed the iron bar cross

house to the front main door of the cutchery and told them that he would bring his sipahi men also from the office room, all the while they were being hiding themselves in the tank sluice opposite the cutchery that a little while after the 6 persons joined them and all ran away in the channel that leads from the tank and then across the fields, that after crossing the stream he was caught by the Police.

He further said that Ramanna had informed him that he was going to cut the Kitchen window

by the sickle placed in the kitchen, that he did not see when the wooden frame work was ignited, and that he had no hand in it. The lockup Daffedar said that on the night in question there were 20 prisoners in all in the lockup, 12 in one room, 6 in another, and 2 in the third, and that after giving them the evening meal, locked them up in the rooms at 6 P.M. after the inspection of the lockup officer, and that he had deputed 4 constables for duty that night (as detailed in his deposition) that he was lying in the room

(marked No. 5, side sketch) quite adjacent to the one (marked No. 3) in which the 6 prisoners were confined, that he was awake being restless from slight indisposition, when he heard a "thud" noise, that thinking the prisoners may be attempting escape by breaking the window he at once cried out and awoke the constables, they ran to the front door of the entchenry and tried to open it in vain, then the door of the lockup (marked No. 3) in which 6 persons were confined was opened when it was seen that the prisoners had gone away and that

the wooden piece of the window was removed, some of the constables went away through the window in pursuit of the prisoners, and one constable passing through the window went to the front main door of the entchery when he observed an iron bar placed across the keyhole, and that immediately he gave information to the lockup officer and the Police Inspector. He further said that he was in the habit of keeping the sickle in the kitchen for the purpose of splitting wood, and he thought that the prisoners might have used it in breaking the

the Kitchen window and said
that it was taken with them.
He further said that he
was giving matches to the
prisoners that were allowed
to cook in the Kitchen and
that they may have been
introduced within through
the holes in the tyne sheet,
that pieces of dung cake
the prisoners might have
brought from the Kitchen
concealing in their piece-
cloths or private parts,
and that he was not able
to detect them though he
was in the habit of examin
ing on their return every
time they were let out, and
that by those means they

might have ignited the wooden
frame work and removed
the iron bar from the
lockup window, that on the
night in question there
were some processions
outside with fire works,
that there was rain, high
wind, thunder &c.

The Police constable
Ramma that was on duty
at the time of occurrence,
said that he was deputed
for duty from 12 O. Cl.
to 2 A. M. on the night of
the 21st instant, that he
heard some noise in the
room in which 6 prisoners
were confined, the Daffedar
told constable Ramma

to open the front door of the Cutcherry and it could not be opened, then Kunna opened the door of the room in which 6 prisoners were confined, then it was seen that they were absent and the wooden piece of the window was broken, that himself and the other constables went out through the window in pursuit of the prisoners in the direction of the Varada river, and Muhamed Sab struck a prisoner with a stick when he fell down, was seized and brought to the Police Inspector, where the other prisoners went away was not known. Constable

Karibasanna was also on duty at the time he was on duty.

Karibasanna the Police constable that was on duty at the time of occurrence and 2 other constables that were deputed for duty that night, were at once sent away by the Police Inspector in search of the prisoners and therefore their statements could not be submitted along with this Report.

The statement of 2 other constables was taken and submitted enclosed. They

corroborate the statements of the Daffedar and constable Ramrina.

—

Ahamed Khan the Bazar Peopy that was on duty at the time said that he was on duty on that night, that he could well observe the Lockup rooms from the place where he was on duty, that he saw that the Police constables were on duty, the Lockup Daffedar who was in a room called out that there was some noise in the Lockup room, then he (Peopy) went to the front door of the entchcary and tried in vain to open it, the Police opened the door

of the lockup room when it was observed that the window was broken and the prisoners absent and that the Police went out through the window, the Police came to the front door from outside and took out an iron bar placed across it on the outside. the Police went out in pursuit of the prisoners. He further said that while he was on duty it was raining, high winds blowing, with thunder and lightning, also some processions followed with fireworks were taking place outside the entrance

and consequently he did not hear the sound in the lockup room.

—

The Hawildar also said the same.

——

IV. The Kitchen being adjacent to the lockup room (marked No. 1) in which the 12 prisoners were confined and the lockup window (marked E) being accessible to the raised hands of an individual, a few matches which the Waffedar says that he was in the habit of giving the prisoners that were allowed to cook in the Kitchen, might have

been handed through the
perforations in the zinc
sheet of the window to their
mates within probably by
pre-concertation. Pieces
of dung-cake might have
been introduced into the
Lacking room, as the Daffodar
says, by the prisoners
picking them up when
they were brought to the
Kitchen for their food
and cleverly secreting
them in their piece-cloths
or otherwise without affording
the slightest clue to their
detection, and by these
means igniting the portion
of the wood on which

the iron bar rested, they seem to have removed it taking care to produce the least noise. The iron bar thus procured has helped them to raise the lower end of the perforated zinc sheet attached outside the window as it is very pliable and kept in place by only a few screws. The blanket that was tied by a rag to one end of the sheet, is calculated to prevent the noise during their exit one by one through the window and their descent into the kitchen room. After

getting into the kitchen
the sickle which the Assessor
says he was keeping there
for the purpose of splitting
wood, seems to have been
made use of according
to the statement of the
captured prisoner in
scraping the central
wooden bar of the kitchen
window (marked F) at
its middle in a slanting
direction and thinning it
in the middle brake it
probably by the iron bar
which they had secured
from the bedroom window
marked E) placed trans-
versely one end behind

and another end in front of the next iron bar of the window and using manual force. The process adopted in scraping and removing the wooden piece must have been done very cautiously so as to produce the minimum noise. In this connection the fact that two thick brick walls exist, one between the Kitchen and the lockup room, and another between the lockup room and the inner veranda where the Police guard was stationed, the noise of the temple and marriage processions outside accompanied

with fireworks, the rain,
high winds, thunder and
lightning as is said by the
Police Daffedar and the
Bara Sepoy and which
was the truth. these appear
to have helped in preventing
any noise being heard by the
guards on duty.

After escaping through the
window one of them according
to the statement of the captured
Prisoner Hussein, might
have placed the iron bar
stuck up through the keyhole
outside the front door of the
cutchery as a precautionary
measure so that the guard
may not easily come through
that door in pursuit of

them supposing the guard
got any scent of the matter
and as Hussen says, Hamm
ma or some other prisoner
might have continued to intro-
duce the sickle or some other
instrument through the
window of the room
(marked No 3) in which
6 persons were confined,
and which help them in
removing the central
wood in piece - and it
is probably the sound
produced in removing
this piece which the
Waffedar says he heard
as the room where he
was at the time, is quite
adjacent to it.

It will be seen from the above facts that the prisoners seem to have conceived the plan and put it into execution on the night of the 21st instant, which was favourable to their design by the change of weather and other circumstances as detailed above:

(The statement of the captured prisoner, Daffedar and Police constables, the Handidar and the Bare Report, the Sketch and the Descriptive Roll, are herewith submitted)

I have &c.

Signed / B. Venkata Rao

Lockup Officer

Dugur

24th May 1878

Proceedings of the Inspector General of Prisons in Mysore

No 914/J. Bangalore 27th June 1898.

Read No 3225/653 dated 5th June 1898, from the District Magistrate Shimoga together with its enclosure regarding the escape of 18 undertrial Prisoners from the Sagar Lockup.

Read also No. 3234/658 dated 6th June 1898, from the District Magistrate forwarding copy of letter No 5 e dated 24th May 1898, from the officer in charge of the Lockup at Sagar together with a sketch of the Lockup buildings explaining how the 18 undertrial prisoners effected their escape.

After reading over the whole of the correspondence referred to above, regarding the escape of the 18 prisoners from the Sagar Lockup, the Inspector General is of opinion that the guard, who were on duty that night are solely to blame. A more glaring piece of gross negligence and indifference it is impossible to imagine and all of them should most certainly be dismissed. To think 18 men could escape from confinement

when a guard composed of a daffedar and 8 Police Constables were within a few feet of them, seems incredible, and it only shews the need there is for better arrangement being made for the safe custody of prisoners in out of the way places, and the Inspector General shall at an early date address Government on the subject of providing more secure lockups.

The Inspector General regrets he cannot agree with the Deputy Commissioner, when he says, "I cannot say that the Lockup officer is altogether without blame in the matter. The room @ from which 6 men escaped was not intended as a Lockup". If the prisoners had escaped from that room, it would have been a different matter, but such was not the case and he could not think the Lockup officer is an any way to blame.

Sd/ Percy A. Benson M.B.
Surgeon Lt. Col.
Inspector General of
Prisons.

District Magistrate's Court
Shimoga.

No 3483/716

Shimoga 30th June 1898.

To The Inspector General of Prisons
in Mysore

Sir,

With reference to paragraph 2 of your proceedings No. 914/5 dated 27th June 1898, I have the honour to state that six prisoners did escape from Room C therein referred to. You quote from my letter No 3225/653 dated 5th June 1898 in which it is said that such was the case, and immediately after append a categorical denial of it without stating any reason therefor. I think there must be some inexplicable misapprehension here and so take the liberty of referring the matter again to you.

I have &c.

Sd/ H. V. Nanjundayya
District Magistrate
Shimoga.

No 30/J. Bangalore 8th July 1898.

From The Inspector General of Prisons
in Mysore

To The Deputy Commissioner
Shimoga District

Sir,

With reference to your No. 3483/716 dated 30th Ultimo, I have the honour to state that the word "first" seems to have been omitted by oversight in this office when fair copying, in the sentence, "If the prisoners had escaped from that room", between the words "escaped" and "from" in para 2 of the proceedings referred to by you. Otherwise it would have not given cause for this reference.

I therefore request you to have the omission supplied and go through the Proceedings once more, and if you have anything to remark thereon, you may make a further reference in the matter.

I have &c.

Sd/ Percy A. Benson M.B.
Surgeon Lt Colonel
Inspector General of Prisons

"Copies"

H. Macgillivray
District Magistrate.

6054-5 — dy 11-11-98
J 631.

7

(8)

Read: —

Records letter No 361/24 dy 22/10/98 from the Distt Magte of Shemoga forwarding, with ref^e to this office No 549/J541 of the 17th idem, copies of correspondence regarding the escape of 18 prisoners from the Sagar Lock-up.

98-99

—"—

Order thereon: —

It is observed from the correspondence received with the above that the Distt. Magte inspected the Lock-up in question on the 17th May last i.e. four days prior to the escape of the prisoners and noticed that their number was unusually large and the rooms overcrowded. He took regret that, on noticing the same, the Distt Magte did not order better arrangements to be made so as to avert any possibility of their escape of the Prisoners.

2. The remark made by the Distt Magte in para 3 of his letter No 3225/653 dy 5/6/98 to the Inspector-Genl of Prisons,

reasons which could have induced Govt. to

as regards the placing of medical officers in charge of lock-ups seems ~~to be~~ uncalled for and requires no notice. It may, however, be stated that the present policy is to place such officers in charge of jails and lock-ups as far as possible. The Govt. are inclined to agree with the views of the Insp. Genl of Prisons as stated in his Proc. of 27th June 1918 that the lock-up officer is not to blame for the unfortunate escape of the prisoners.

3 As regards para 6 of his letter No. 3225 & 5/6/18 to the Insp. Genl of Prisons, of the same letter, the Dist. Magte is informed that no rules are necessary as suggested by him with regard to patrolling by Jail Guards, but that he may issue such instructions as he considers necessary for the purpose. Further any ~~arrangements~~ improvements such as those suggested by him in the latter part of the same paragraph may be carried out by him without any rules

being framed on the subject. The Distt Magte should realize his responsibility and do the needful and not plead want of rules as an excuse.

4. Finally, the Distt Magte is requested to submit to Govt. a further report as to whether any recaptures have since been made and whether the Jail guards have been prosecuted.

8.11.98

BR
8/11/98 Secretary

To Issue BR 9/11/98
The Distt Magte Shemoga.
The Insp: Genl: of Prisons
in Mysore

6056 of 11-11-98
J 632.

To

Covered The First Assistant
to the Resident in Mysore

92-98
Lri,
6

Adverting to your letter
No 5360/384-89 dated 7th Oct'/98, calling
attention to the large number
of escapes mentioned in the
statement shewing the result
of the trial of persons sur-
rendered to the Durbar, for-
warded with this office letter
No 2180 - J 230 dated 15th Aug/98,
and enquiring what action
has been taken in consequence
I am directed to state as
follows.

2. In May last 20
persons accused of dacoity
were confined in the Lock-up
at Sagar in the Shimoga
Distt awaiting their trial
before the Sub Division Magis-
trate. The Lock-up in
question had not the
requisite accommodation
for such a large number,
but as the prisoners were
to undergo their trial

soon they were confined as well as the available accommodation permitted. While in the Lock-up they seem to have matured an elaborate plan for their escape and on the night of the 21st May, when circumstances specially favoured them, the night being dark and stormy, 18 of the prisoners escaped leaving behind 2 men who ~~were~~ had been kept in a separate room owing to the illness of one of them. By the time an alarm was raised by the Jail guards, the prisoners had made good their escape. The police succeeded in rearresting one of the escaped prisoners but the remaining 17 are at large.

3. I am, however, to add that endeavours are still being made to recapture the escaped prisoners. In the investigation subsequent to the escape, the jail guards on duty were found to be

guilty of the present neglect and the District Magistrate reports that they (1 Duffedar & 8 Constables) have been suspended and allowed some time to trace out the escaped prisoners, failing which they have been informed that they will be dismissed and also prosecuted.

I have &c

8.11.98.

Secretary.

Issue
BD
9/11/98

BD.
8/11/98

J 1105

(General Serial No. 30.)

10390

1900. No. 201

16

From The District Magistrate
Shimoga

To The Secty: to the Govt of Mysore
Ld and Rev: Depts.

Dated 14th March 1901

Despatched

Received

General No. 762 } 190 .
No. 69

Enclosures Number.

With reference to Govt. Circ: No. 6054-55 dated 11th November 1898, J. 631 I submit further report in connection with the escape of 18 undertrial prisoners from Sagar Lock-up.

Jud
16.1.01
Refer pursup.
DMB
20/3/01.

No. 762/69

District Magistrate's Court
Shimoga
14th March 1901

To
The Secretary to the Government of Mysore,
General and Rev: Department.

Sir,

With reference to the 4th para of Government Proc: No. 605-6-S dated 11th November 1898 J. 631 I have the honour to state that out of 18 undertrial prisoners who made their escape from the Sagar Lock-up on the night of the 21st May 1898, three prisoners have since been recaptured and dealt with according to law, in addition to the one (Hussain) who was caught near Sagar on the very day he escaped from custody. Another prisoner by name Bhima for whose surrender to this state a warrant has been obtained, is said to be undergoing imprisonment in the Dharwar Jail, (Govt. Proc: No. 6618 J. 695 dated 7th November 1900.

Sl No 8 in J 7 No 197 1899-1900

Thippiah
Hanuma
Hosura—

× Sl No 16 in J 7 No 469 1900.

2. Of the Jail guards (1 Duffedar and 8 constables) who were under suspension, the duffadar and 3 constables were on 31st January 1900 ordered by me to be dismissed on the remaining 5 constables were, on the recommendation of the Superintendent of Police ordered to be reinstated, as it was shown that they were new to lock-up duty and as the period of suspension was considered sufficient punishment in their case. In the case of the Duffadar the Inspector General of Police in his No. 1135/5-2 dated 24th September 1900 modified the order of dismissal and ordered his retirement from service on suspension. No prosecution was instituted against any of the constables, as it was considered that sufficient evidence of negligence could not be produced against them to warrant a

Conviction

conviction in a Criminal Court

3. The delay was due to some extent to the matter having been kept in abeyance to ascertain the final result of the steps taken in different directions to recapture the prisoners as it was hoped that most of the prisoners would be traced and caught.

I have the honour to be
Sir,
Your most obedient servant.

H. Manjundayya
District Magistrate
Shimoga

BDK